

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6492

BILL NUMBER: SB 190

NOTE PREPARED: Jan 21, 2010

BILL AMENDED: Jan 19, 2010

SUBJECT: Discriminatory Practice Definition.

FIRST AUTHOR: Sen. Boots

FIRST SPONSOR: Rep. V. Smith

BILL STATUS: As Passed Senate

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
☐ **FEDERAL**

IMPACT: State & Local

Summary of Legislation: (Amended) This bill provides that taking an adverse employment action against an employee because that employee opposed or attempted to oppose a practice that is unlawful under civil rights enforcement laws is a discriminatory practice.

Effective Date: July 1, 2010.

Explanation of State Expenditures: (Revised) *Civil Rights Commission:* The bill expands the definition of "discriminatory practice" to include taking an adverse employment action against an employee because that employee opposed, or attempted to oppose, a practice that is unlawful under civil rights enforcement laws. The Civil Rights Commission may investigate discrimination claims, award back wages, and institute administrative changes within an offending entity. Expanding the definition of "discriminatory practice" may increase the Commission's workload. Any impact on the Commission will depend on the number of cases initiated at the Commission as a result of this bill.

Explanation of State Revenues: *Court Fee Revenue:* If additional civil actions occur and court fees are collected, revenue to the state General Fund may increase. A civil costs fee of \$100 would be assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the document storage fee (\$2), automated record keeping fee (\$7), judicial salaries fee (\$18), public defense administration fee (\$3), court administration fee (\$5), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Court Fee Revenue:* If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 civil costs fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

State Agencies Affected:

Local Agencies Affected: Civil Rights Commission.

Information Sources: Trial courts, city and town courts.

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